

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

TODD KELLER,

Plaintiff,

vs.

NICHOLAS BERRY, Individually, and
CITY OF WATERLOO,

Defendants.

No. 10-CV-2003-LRR

ORDER

This matter is before the court pursuant to a show cause order dated June 1, 2011. In response to such order, Plaintiff Todd Keller impermissibly emailed the court, and Defendants filed a response. In light of the parties' actions and the possible prejudice that Defendants may be subject to while Plaintiff weighs his options or decides whether to pursue relief, the court concludes that it is appropriate to have Plaintiff further clarify his position. Accordingly, Plaintiff Todd Keller is directed to file a status report with the court on or before **June 25, 2011**. In the status report, Plaintiff is directed to inform the court whether he has retained new counsel to represent him in this matter. If he has not yet retained new counsel, Plaintiff is directed to describe what, if any, efforts he has made to retain new counsel. Further, Plaintiff should indicate whether he intends to proceed pro se, that is, represent himself, if he is unable to get an attorney to file an appearance on his behalf. Plaintiff is reminded that, regardless of whether he retains new counsel, trial in the instant action remains set for July 18, 2011.

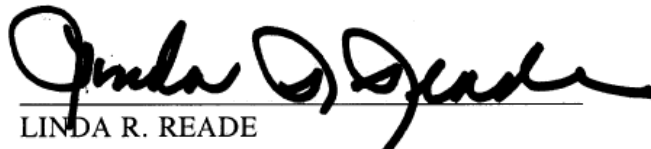
A status hearing in this matter is hereby scheduled to occur on **July 5, 2011 at 4:45 p.m.** before the undersigned in Courtroom 1/Bldg. B, 4200 C Street SW, Cedar Rapids, Iowa. Plaintiff and counsel for Defendants are directed to appear personally at the status hearing.

If Plaintiff fails to comply with the directives included in the instant order, the clerk's office is directed to dismiss Plaintiff's action with prejudice. *See* Fed. R. Civ. P. 41(b); *Hutchins v. A.G. Edwards & Sons, Inc.*, 116 F.3d 1256, 1259-60 (8th Cir. 1997).

The clerk's office is directed to mail a copy of this order to Plaintiff at his last known address: 1009 Bertch Avenue, Waterloo, IA 50702.

IT IS SO ORDERED.

DATED this 15th day of June, 2011.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA